

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

| | | |
|---------------------------|---|--------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:07-CR-67 |
| |) | (Jordan / Shirley) |
| BRYAN CLAIBORNE, |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM AND ORDER

This matter came before the Court upon a Joint Notice [Doc. 23] regarding Defendant Bryan Claiborne's detention status. This Court had previously Ordered Mr. Claiborne's release pending trial, subject to certain conditions as set forth in the Order Setting Conditions of Release [Doc. 12]. One condition, as agreed upon by the parties at the time of entry, was that Mr. Claiborne would voluntarily surrender himself to the custody of the United States Marshal Service upon demand of the United States Attorney's Office [Doc. 12 at ¶ v]. The parties have filed Joint Notice [Doc. 23], informing the Court that Mr. Claiborne has returned to custody pursuant to this condition.

It is therefore **ORDERED** that Defendant Bryan Claiborne be detained. Defendant will be committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate to the extent practicable from persons awaiting sentencing or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of this Court or a Court of the United States or upon request of the attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshals for the

purpose of an appearance in connection with a Court proceeding.

This Order shall be entered *nunc pro tunc* August 27, 2007, the date of Mr. Claiborne's return to custody.

IT IS SO ORDERED.

ENTER: *nunc pro tunc*, August 27, 2007.

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge